

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 236

Introduced by Senator Pavley
(Principal coauthor: Assembly Member Gorell)

February 12, 2013

An act to amend Section 37710 of, and to add Section 37712 to, the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 236, as amended, Pavley. School districts: four-day school week: Moorpark Unified School District.

Existing law authorizes certain ~~schools~~ *school* districts to operate one or more schools on a 4-day school week if the school district complies with specified instructional time requirements and other requirements related to the 4-day school week.

This bill would, *beginning in the 2013–14 fiscal year*, authorize the Moorpark Unified School District to operate one or more schools on a 4-day school week if it complies with the specified instructional time requirements and other requirements related to the 4-day school week. *The bill would require the authority of a school in the Moorpark Unified School District to operate on a 4-day school week to be permanently revoked if the school fails to achieve its Academic Performance Index growth target.*

This bill would make legislative findings and declarations as to the necessity of a special statute for the Moorpark Unified School District.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 37710 of the Education Code is amended*
2 *to read:*

3 37710. If a school operating on a four-day school week
4 pursuant to Section 37710.3, 37710.5, ~~or~~ 37711, or 37712 fails to
5 achieve its Academic Performance Index growth target pursuant
6 to Section 52052, the authority of that school to operate on a
7 four-day school week shall be permanently revoked commencing
8 with the beginning of the following school year.

9 ~~SECTION 1.~~

10 *SEC. 2. Section 37712 is added to the Education Code, to read:*

11 37712. ~~Notwithstanding any other law,~~ (a) *Beginning in the*
12 *2013–14 fiscal year, the Moorpark Unified School District may*
13 *operate one or more schools in the school district on a four-day*
14 *school week, if the school district complies with the instructional*
15 *time requirements specified in Section 37701 and the other*
16 *requirements of this chapter. The state board may waive the*
17 *five-consecutive-day operating requirements for a middle college*
18 *program that operates on a four-day school week pursuant to this*
19 *section, provided that the school district meets the minimum time*
20 *requirement for the middle college program.*

21 (b) *If the school district operates one or more schools on a*
22 *four-day school week pursuant to this section, and the program*
23 *for the school year provides fewer than the 180 days of instruction*
24 *required under Section 46200, the Superintendent shall reduce*
25 *the base revenue limit per unit of average daily attendance for*
26 *that fiscal year by the amount the school district would have*
27 *received for the increase received pursuant to subdivision (a) of*
28 *Section 46200, as adjusted in fiscal years subsequent to the*
29 *1984–85 fiscal year. If the school district operates one or more*
30 *schools on a four-day school week pursuant to this section, and*
31 *the program provides fewer than the minimum instructional*
32 *minutes required under Section 46201, the Superintendent shall*
33 *reduce the base revenue limit per unit of average daily attendance*
34 *for that fiscal year in which the reduction occurs by the amount*
35 *the school district would have received for the increase in the base*

1 *revenue limit per unit of average daily attendance pursuant to*
2 *subdivision (a) of Section 46201, as adjusted in the 1987–88 fiscal*
3 *year and subsequent fiscal years.*

4 *(c) Notwithstanding Section 37710, if a small school having*
5 *between 11 and 99 valid Standardized Testing and Reporting*
6 *Program test scores operating on a four-day school week fails to*
7 *achieve its Academic Performance Index growth target pursuant*
8 *to Section 52052 for two consecutive years, the authority of that*
9 *school to operate on a four-day school week shall be permanently*
10 *revoked commencing with the school year following the second*
11 *consecutive year the school failed to achieve its Academic*
12 *Performance Index growth rate.*

13 *(d) If the school district operates one or more schools on a*
14 *four-day school week pursuant to this section, the school district*
15 *shall submit a report to the department, the Senate Committee on*
16 *Education, and the Assembly Committee on Education on or before*
17 *January 15, 2018. The report shall include, but not necessarily be*
18 *limited to, information on all of the following:*

19 *(1) Programs the school district offered on the fifth schoolday*
20 *and their participation rates.*

21 *(2) If the four-day school week schedule resulted in fiscal*
22 *savings.*

23 *(3) Impact on overall attendance of the schools operating a*
24 *four-day school week.*

25 *(4) Programs for which the state board waived minimum time*
26 *and five-consecutive-day requirements and the operational and*
27 *educational effects of the programs if they operated at less time*
28 *than required.*

29 *(5) The impact of the four-day school week on crime statistics,*
30 *especially on the day on which school would otherwise be in*
31 *session.*

32 *(6) Information on the Academic Performance Index, pursuant*
33 *to Section 52052, for every year a school in the school district*
34 *operated on a four-day school week. The information shall include,*
35 *but not necessarily be limited to, the base and growth Academic*
36 *Performance Index of each school that operated on a four-day*
37 *school week and whether that school met the Academic*
38 *Performance Index growth targets.*

1 ~~SEC. 2.~~

2 SEC. 3. The Legislature finds and declares that a special law
3 is necessary and that a general law cannot be made applicable
4 within the meaning of Section 16 of Article IV of the California
5 Constitution because of the unique circumstances facing many of
6 the pupils enrolled in the Moorpark Unified School District.

7 SEC. 4. *This act is an urgency statute necessary for the*
8 *immediate preservation of the public peace, health, or safety within*
9 *the meaning of Article IV of the Constitution and shall go into*
10 *immediate effect. The facts constituting the necessity are:*

11 *In order for the Moorpark Unified School District to use the*
12 *four-day school week authorization provided by this act in the*
13 *2013–14 school year, it is necessary that this act take effect*
14 *immediately.*